



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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www.berlinmd.gov



Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

Town Attorney

David Gaskill

MONDAY, JULY 11, 2011

Town Administrator

Anthony J. Carson, Jr.

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION6:30 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144

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**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, July 11, 2011**

6:30 PM EXECUTIVE SESSION - Berlin Conference Room

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

1. Approval of the Minutes for:
 Regular Session of the Mayor and Council on June 27, 2011
2. Worcester Youth and Family – Update on Summer Camp Program
3. Motion to Approve – Contract to Chesapeake Containment Systems for Linear Low
 Density Polyethelene Geomembrane Liner.
4. Departmental Reports
 - a. Finance – Lynn Musgrave
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Public Works – Mike Gibbons
 - d. Water Resources – Jane Kreiter
 - e. Electric – Tim Lawrence
 - f. Police – Arnold Downing
 - g. Planning and Zoning – Chuck Ward
 - h. Human Resources – Jeff Fleetwood
 - i. Economic and Community Development – Michael Day
5. Town Administrator's Report
6. Comments from the Mayor
7. Comments from the Council
8. Comments from the Public
9. Comments from the Press
10. Adjournment

MAYOR AND COUNCIL OF BERLIN MARYLAND

Regular Session
Monday, June 27, 2011

Mayor Williams called the Regular Meeting of the Mayor and Council of Monday, June 27, 2011 to order at 7:00 PM. Councilmembers Brittingham, Burrell, and Purnell were present as well as Town Administrator Tony Carson and Town Attorney David Gaskill. Planning & Zoning Director Chuck Ward, Police Chief Arnold Downing, Finance Director Lynn Musgrave, Human Resources Director Jeff Fleetwood, Community and Economic Development Director Michael Day, Director of Water Resources Jane Kreiter and Deputy Town Administrator Mary Bohlen were also present. Councilmembers Hall and Lynch were absent at the start of the meeting. Public Works Director Mike Gibbons and Electric Utility Director Tim Lawrence were also absent.

Following the Lord's Prayer and the Pledge of Allegiance the Minutes of the June 13, 2011 Regular Meeting were reviewed.

Councilmember Lynch had joined the Meeting in progress during the Pledge of Allegiance.

Councilmember Lynch indicated that she believed that the reference to the motion and vote in the first full paragraph, second page was incorrect and that it should read: "Councilmember Hall made a motion not to approve the exception and council voted 2-1 AGAINST THE MOTION with Councilmember Hall IN FAVOR." Councilmember Purnell moved to approve the Minutes as corrected and approval was unanimous (4-0-0 with Councilmember Hall absent).

Councilmember Hall had joined the meeting in progress at approximately 7:10 PM.

Mayor Williams introduced Ms. Joanne Throwe of the University of Maryland Environmental Finance Center. Ms. Throwe presented a proposal for a Pilot Stormwater Study which would be provided at no cost to the Town except for some staff time. Councilmember Burrell asked Ms. Throwe about the time estimate for completion and she indicated that it would be within one year. Lengthy discussion followed regarding the program. General discussion followed. Councilmember Lynch moved to accept the proposal for a Pilot Stormwater Study conducted by the University of Maryland Environmental Finance Center. Approval was unanimous.

Ms. Throwe also brought the Council's attention to Resolution 2011-06 supporting the Town of Berlin's participation in the Sustainable Maryland Certified Municipal Certification Program and explained the objectives of the program. Following brief discussion, Councilmember Hall moved to approve Resolution 2011-06 and approval was unanimous.

Mr. Dwight Davis of Booth & Associates addressed the Mayor and Council regarding Berlin's levels of electric rates particularly as compared to each other and to other area utilities and the need for a general rate case to be presented to the Maryland Public Service Commission. Mr. Davis discussed a recent meeting that he, Mayor Williams and Mr. Carson had held with staff of the Public Service Commission to discuss this issue and reviewed the steps and the costs of approximately \$135,000.00 involved in filing a case. Mr. Davis noted that, following the preparatory work, should the case not appear to be favorable, the Mayor and Council could decide not to proceed. Discussion followed regarding necessary capital projects. Discussion followed regarding the negative impact of the current rates on businesses. Lengthy discussion continued. Discussion continued regarding the budget as related to the project. Councilmember

Purnell moved to approve proceeding with the work necessary to start the process of the rate case and approval was unanimous.

Mr. Carson provided an update on power and stormwater issues being resolved by field crews because of the storms of the evening.

Tanja Giles, President of the Berlin Chamber of Commerce, Olive Mawyer, Chamber Executive Director and Michael Day, representing Main Street Berlin appeared before the Mayor and Council to discuss several special events. First was the Bathtub Race to be held during 2nd Friday on July 8, 2011. Following Mr. Day's description of the event and Town services needed, Councilmember Brittingham moved to approve the event as presented and approval was unanimous.

Ms. Mawyer presented the request for the Fiddler's Convention. Following her explanation, Councilmember Hall moved to approve the event as presented and approval was unanimous.

Ms. Giles presented the request for Oktoberfest, to include an Application for Special One Day Permit for a beer-garden to be part of the event. Following discussion, Councilmember Hall moved to approve the permit and the event as presented and approval was unanimous.

Mr. Gabe Purnell and Bro. John Oltman appeared before the Mayor and Council to request approval for the Charles Tindley Festival scheduled for September 17, 2011. Bro. Oltman provided a brief biography of Rev. Tindley and discussion of the activities of this year's event followed. Councilmember Burrell moved to approve the event as presented and approval was unanimous.

Mr. Carson explained that the Baked Dessert Café was relocating to 4C Bay Street and, because of the change of the use of the building, the installation of grease trap was necessary. Ms. Kreiter explained that, because of the configuration of the property and the building an exterior grease trap was not possible, therefore the proposed grease trap was an acceptable alternative. Councilmember Hall moved to approve the request and approval was unanimous.

Councilmember Purnell re-cused himself from the following discussions.

Ms. Kreiter explained the need for an additional BDU for the Community Center for the Cottages of Berlin. Following brief discussion Councilmember Hall moved to approve the request and approval was unanimous (4-0-0 with Councilmember Purnell not participating).

Brief discussion of the Utility Easement Agreement for the Cottages of Berlin followed. Councilmember Brittingham moved to approve the request and approval was unanimous (4-0-0 with Councilmember Purnell not participating).

Councilmember Purnell rejoined the Council on the dais.

Mr. Carson presented a request to correct the wording of Page 1-8, 1.14a of the Town Standards from "300 gallons per day" to "250 gallons per day". Ms. Kreiter noted that this was simply a "housekeeping" item. Councilmember Burrell moved to approve the correction and approval was unanimous.

Ms. Bohlen presented a request to approve the purchase and installation of five (5) educational signs from Sun Signs for the Nature Trail and Park in the amount of \$1,800.00. Following brief discussion, Councilmember Hall moved to approve the purchase and approval was unanimous.

Ms. Bohlen presented a recommendation to approve Municipal Code Corporation for the Edification and Publication of the Charter and Code in an amount not-to-exceed \$12,450.00 and to enter into a three-year agreement with Municipal Code for ongoing services. Ms. Bohlen explained that the project would re-format the Code to an 8 ½" X 11" page format, as well as to review the Code for antiquated language and conflicts within the Code, among other edification activities. Councilmember Brittingham moved to approve the award for the project to Municipal Code Corporation and approval was unanimous.

Finance Director Lynn Musgrave noted that she, Melissa Coffey and Michelle Townsend had attended a Customer Service Seminar the previous week. She also indicated that the end of the Fiscal Year was fast approaching and that the Finance Department was gearing up for the activities involved in closing out the old year and starting the new. Mayor Williams asked that Ms. Musgrave provide him with a report on the seminar.

Ms. Bohlen reported that she and Michael Day had attended a session on the 2010 Census Update at the Maryland Municipal League conference and that the official 2010 population of Berlin was 4,485, placing Berlin 44th among 157 municipalities. She also indicated that the full results were still being developed.

Michael Day indicated that he would be attending a conference involving Washington D.C., Virginia and Maryland the following week and that he hoped to return with information about an exciting marketing opportunity. He also briefly discussed the status of the Donaway Building on Main Street.

Ms. Kreiter noted that she and Mr. Carson had attended a conference at the MML Convention regarding the Sustainability issue discussed at the beginning of the meeting and indicated that this was a great opportunity for Berlin to get another "feather in its cap". She also indicated that most of the water was already receding from the earlier storms of the evening.

Planning and Zoning Director Chuck Ward reported briefly on a recent incident in which a vehicle struck a home.

Human Resources Director Jeff Fleetwood indicated that FY12 data was being inputted. He also indicated that the Town would recognize a reduction in its liability insurance premium in the upcoming year and that two seasonal workers had recently been hired in the Water Resources Department.

Chief Downing had left the meeting earlier in the evening.

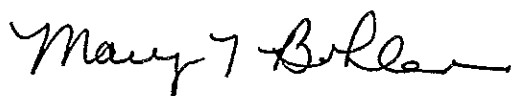
Mr. Carson presented the Town Administrator's Report, presenting seven purchase orders for approval. Councilmember Purnell noted that he would not participate in the vote for PO #2011002361. Councilmember Brittingham moved to approve the six purchases excluding #2011002361 and approval was unanimous. Councilmember Brittingham moved to approve PO #2011002361 and the PO was approved 4-0-1 with Councilmember Purnell abstaining).

Mayor Williams indicated that all power was reported to be restored. He also asked the Council for any comments. Hearing none, he asked if there were any questions or comments from the

Public. Mr. Jim Hoppa suggested that an old copy of the Town Code be donated to the Taylor Museum.

Hearing no further questions or comments from the public, the Mayor asked for questions from the press. Hearing none, he requested a motion to adjourn. Councilmember Burrell moved to adjourn and the Meeting was adjourned at 9:55 PM.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Mary T. Bohlen". The signature is written in dark ink and is positioned above the printed name and title.

Mary T. Bohlen
Deputy Town Administrator

TOWN ADMINISTRATOR'S REPORT
7-11-11

Purchase Orders

PO# 201200023 in the amount of \$1,500.00 to D3 Corp for FY12 Website Maintenance monthly fee. Current contract through May 2013.

PO# 201200024 in the amount of \$5,850.00 to Card's Computers for FY12 Gold IT Services Contract.

PO# 201200026 in the amount of \$2,546.00 to Card's Computers for Watchguard UTM, Warranty renewals and Cisco SmartNET for all sites.

PO# 201200031 in the amount of \$3,756.15 to Devin Systems for printing of utility bills and indicia envelopes for FY12.

PO# 201200029 in the amount of \$5,000.00 to Purchase Power for annual postage for mailing machine.

PO# 201200069 in the amount of \$4,687.25 to Maryland Municipal League for 2011-2012 membership dues.

PO# 201120071 in the amount of \$16,000.00 to Worcester Youth & Family Counseling for FY12 Youth Program Contract from July 1, 2011 to February 29, 2012.

PO# 201200072 in the amount of \$76,071.00 to Worth Construction for sidewalk construction and replacement for Cedar, Flower, Jefferson, Grace, Washington, West Branch and William Streets.

PO# 201200081 in the amount of \$2,153.10 to Courtesy of Salisbury for installation of new fuel pump on 2000 Chevy for Electric department.

Updates